DOCUMENT RESUME

ED 158 670 HE 010 379

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TITLE An Analysis of the Use of the Words Incompetency and Immorality in Southern Baptist Colleges and Universities.
PUB DATE 10 Jun 78
NOTE 40p.; Practicum at Nova University in partial fulfillment of doctoral degree requirements

EDRS PRICE MF-$0.83 HC-$2.06 Plus Postage.
DESCRIPTORS *Church Related Colleges; *College Faculty; Employment Practices; Higher Education; Job Skills; *Moral Issues; *Personnel Policy; Southern States; Task Performance; *Teacher Dismissal
IDENTIFIERS Immorality; Incompetency; *Southern Baptist Colleges

ABSTRACT

The study was an attempt to determine whether the words incompetency and immorality or very similar ones were used for the purpose of reprimand or dismissal in Southern Baptist colleges and universities in the United States. A secondary purpose was to discover whether the words were defined in any official publication. Data were secured from 43 institutions. Thirty used either or both words in some faculty publication; three felt they accomplished the same result by statements of purpose or philosophy. The word incompetency was used more frequently than the word immorality. None of the reporting institutions had printed definitions of both words, although a few had attempted to define one or the other. (MSE)

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AN ANALYSIS OF THE USE OF THE WORDS INCOMPETENCY AND IMMORALITY IN SOUTHERN BAPTIST COLLEGES AND UNIVERSITIES

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HE 010 379

A Practicum Presented to Nova University
In Partial Fulfillment Of The Requirements For The
Doctor of Education Degree

NOVA UNIVERSITY

June 10, 1978

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ABSTRACT

This study was an attempt to determine whether the words incompetency and immorality (or very similar words) were used for the purpose of reprimand and/or dismissal in the colleges and universities throughout the United States which are sponsored by the Southern Baptist denomination. A secondary purpose was to determine if the words were defined in any official publication and in what types of publications. The data gathered in this study were to be used in the possible formulation of definitions of the words for the Faculty Handbook of North Greenville College.

Data were secured from forty-three Southern Baptist colleges and universities (81 percent) in sixteen states. Thirty of the institutions (69.8 percent) used either or both words (or similar words) in some faculty publication. Eight (18.3 percent) indicated that they did not use them and three (6.9 percent) felt that they had accomplished the same result by relying on statements of philosophy and purpose. Six (28.6 percent) did not respond clearly.

The specific word "immorality" was used in the publications of ten institutions (23 percent). Four other terms were consistently used in lieu of the word immorality: moral and ethical laxity; moral turpitude; breach of morals, and moral delinquency.

More frequent use was made of the word "incompetency" in the faculty publications. Eighteen institutions (41.9 percent) used this word to label a less than desirable standard of academic performance. Other terms most commonly used to express the same concept were inefficiency and indifference.

Not one of the responding colleges had printed definitions of both words. Five (11.6 percent) had made an effort to formalize a definition of immorality and three (6.9 percent) had defined incompetency. Definitions

of both words when found in the faculty publications of the institutions under consideration were included in the results of the study.

Although they were not elicited, comments were frequently made expressing concern over the lack of definitions or opinions about why definitions should not be spelled out. Some of these comments were included in the study.

Recommendations concerning the development of definitions for these words which were made to the Professional Development and Standing Committee at North Greenville College included:

1. Consultation with the college attorney concerning the necessity for definitions.
2. Decision (based on the data gathered) whether they considered the simple use of the words in the faculty handbook to be sufficient, the extent to which they might define the words and where the definitions, if made, should be printed.
3. Presentation of their decisions for approval or disapproval to the full faculty, the Administrative Council, the President and the Board of Trustees.

AN ANALYSIS OF THE USE OF THE WORDS INCOMPETENCY AND IMMORALITY IN SOUTHERN BAPTIST COLLEGES AND UNIVERSITIES

INTRODUCTION

This study was an attempt to determine whether the words incompetency and immorality (or very similar words) were used for the purpose of reprimand and/or dismissal in the colleges and universities throughout the United States which are sponsored by the Southern Baptist denomination. A secondary purpose was to determine if the words were defined in any official publication and in what types of publications they were used and defined.

North Greenville College used both of the words in its 1976 Faculty Handbook under the section on Suspension and Dismissal as follows:

> The President may recommend to the Board of Trustees the suspension and/or dismissal of any member of the professional staff for good cause, such as, but not limited to immorality, dishonesty, misconduct in office, incompetence, insubordination or willful neglect of duty. (1976:3.4.6)

The words were not used in the faculty contract or any other official publication and no attempt had been made to define them in writing or to discuss their meaning in a faculty meeting. To date, no written record existed of any person having been officially dismissed on the basis of being guilty of any of the charges stated above. However, as had been the case in many small, church-related college of different denominations, the governance process under highly bureacratic or paternalistic past presidents allowed for a great deal of caprice in personal matters with little or no regard to due process.

The current President who was the first non-clergyman to administer the college, had in the past three years strongly urged the faculty to develop formal regulations and procedures in written form. The 1976

Faculty Handbook was a result of this effort as was an extended system of shared governance. Although already passe in larger institutions under much more internal and external pressure, for the time being the new-found freedom of shared authority was welcomed in this rural, relatively autonomous institution. Indication of this enthusiasm about having some influence over their own professional lives was given in a 1977 study of the progress in accomplishing policy changes made by eleven committees in two years. (Silver:1977)

In both the Societal Factors and the Educational Policies Systems seminars which the writer had attended, the national lecturer from Nova University had asked the class if their institutions had officially defined the meanings of immorality, incompetence and reduction in force. When questioned about the lack of definitions for the two words in that group which were used as a basis for punitive action at North Greenville College, the President indicated his own concern over the matter. He said that he was eager for the faculty, through the mechanism of the Professional Development and Standards Committee to begin the formulation of such definitions in the fall of 1978. He also expressed an interest in a review of which, if any, definitions were used in other colleges sponsored by the same denomination. (Silver:1978)

The Dean of Instruction at North Greenville had also voiced an interest in the formulation of definitions for the key words used in the Faculty Handbook but had stated that "they must be defined in the context of the individual institution and the cultural setting in which the institution operates." (Sierk:1978)

The cultural setting for North Greenville, a very traditional two-year liberal arts college, was strongly influenced by both its rural

location and its relationship to the 650,000 member South Carolina Baptist Convention, its largest single source of external support. Characterized as the college for the "grass roots" members or the crossroads churches college, its position on moral and theological issues was closely scrutinized. This close relationship with the supporting constituency was perhaps the strongest motivating force behind the need to define clearly words which could concievably be used to dismiss faculty members. It also heightened the need to discover how the concepts of immorality and incompetency were defined in the contracts and official faculty publications of other Southern Baptist colleges and universities.

Fifty-three accredited institutions of higher education in sixteen states were identified as receiving financial support from Southern Baptists and being voting members of the Education Commission of that denomination. The chief academic officer of each institution was subsequently contacted by letter to determine whether the terms immorality and/or incompetency were used at their institutions as a basis for reprimand, suspension or dismissal. Definitions of the terms, if available, were elicited, as well as an indication of the types of publications such as faculty handbook or employment manual in which the words appeared. The deans were assured that their institution would not be identified in the final report by name since that had no relevance to the study. An offer was made to share the results with any institution which was interested.

Using the replies to the survey letter, a record was made of the number of colleges which used the terms immorality and incompetency or like words in their faculty publications. Words which were similar and used for the same purpose were identified and the varying definitions for

each word were listed.

Criteria for a charge of immorality and incompetency which were already in use in other Southern Baptist colleges and universities were gathered with the idea of incorporating them in the writing of a fair and unambiguous statement on the subject. Data concerning the use or non-use of definitions by other colleges in the denomination as well as definitions which were currently being used supplied some insight concerning the specificity which was considered acceptable and reasonable.

The writer was not a member of the Professional Development and Standards Committee which had been assigned the responsibility of developing definitions of immorality and incompetency for North Greenville. As a member of the faculty, however, she was privileged to provide input to all committee projects. The data from this study will be offered to the Professional Development and Standards Committee for their use in formulating definitions of immorality and incompetency. Their work will subsequently be presented to the faculty in joint session for approval or rejection.

BACKGROUND AND SIGNIFICANCE

The need for specific definitions of words used as a cause for dismissal and/or suspension was closely tied to a growing awareness of individual rights and a concomitant increase in litigation concerning personnel matters. Corson, speaking of a "spate of legal decisions which has circumscribed the freedom of those who lead institutions," proposed that the extention of judicial rule pushes the colleges and universities from their informal and paternalistic ways of the past to a heavy dependence on formal rules and regulations.(1975:56)

Richarson and Bender wrote in the manual prepared for the Governance Module that "the decision not to retain a faculty member is the most difficult of all and the one most fraught with the greatest number of hazards." (1974:57) They felt that the criteria on which personnel decisions such as dismissal would be based needed to be developed cooperatively with those who would be affected and that such criteria should be widely available in written form prior to their application.

After surveying the types of litigation that had been initiated either by or against public community colleges between January, 1969 and December, 1973 in 184 colleges throughout the United States, Giardina concluded that a major portion of the litigation involving two-year colleges centered around faculty-institutional relationships. (1974:99) Lahti spoke of the recent frequency of law suits arising from non-retention, suspension and firing (1973:9) and Chambers introduced his updated supplement to The Colleges and the Courts with a note that he had considerably expanded his section on "Discharge and Cause" since that area of concern had expanded disportionately.(1976)

The increased frequency of courts examining controversies resulting

from the dismissal of teachers for conduct that deviates from community norms was discussed by Delon (1977) and Hamel and Miller contended that "now that the campus disruptions of the late 60's and 70's have died down, students and personnel can be expected to rely on the courts to try to satisfy their grievances." (1973:36)

According to Bickel and Brechner, litigation during the 1960's and 1970's has demonstrated that the operation of the university has in many instances vast legal implications. They believed that many legal problems in higher education may be created or magnified because a decision, agreement, rule or policy was made without consideration of its legal ramifications. (1978:2-2)

Bender and others pointed out that the refusal to reappoint non-tenured faculty could not be grounded on constitutionally impermissible reasons. They discussed the need of Florida's twenty-eight public junior colleges to define such evaluative criteria as immorality, incompetency, willful neglect of duty, drunkenness, conviction of any crime involving moral turpitude, misconduct in office and gross insubordination. (1973:38)

Too narrow definitions were also the subject of concern in a number of publications. A 1973 statement on teacher tenure by the American Association of School Administrators spoke of the term "just cause" by saying, "the causes have been too narrowly defined and their interpretation has often been poorly delineated." (1973:16) Jenkins and others believed that "every effort should be made to state the charges for dismissal as specifically as possible" (1977:22), and the Carnegie Commission claimed "that it was essential that clear and reasonable rules be in force concerning adverse action taken against faculty members." (1973:57)

Holderfield and Brown, discussing institutional responsibility for the development of faculty dismissal criteria wrote that:

> It is clear from a random sampling of various community and junior college handbooks that the published criteria for the termination of faculty are, in most cases, ambiguous. Since significant words and phrases are not clearly defined, their meaning is relative to the reader of the handbook. (1973:1)

Looking back on their 1958 "Statement on Procedural Standards in Faculty Dismissal Proceedings," the American Association of University Professors found that ten years later ambiguity was a persistent source of difficulty in the definition of adequate cause for the dismissal of a faculty member. The Association felt that considerable vagueness and misunderstanding of the matter persisted throughout higher education and reiterated their assumption that "individual institutions will have formulated their own definitions of adequate cause for dismissal." (1968:439)

Immorality or a similar word was found to be stated as a cause for dismissal in a wide variety of educational institutions and agencies. Laws governing the public colleges of Kansas (Delon:1977:3), Sweet Briar College (1975:6), St. Olaf College in Minnesota (1975:48) and the Virginia Community College System (1973:1) all included references to personal misconduct as a cause for the involuntary termination of a faculty member's employment.

Whatcom Community College used the term gross misconduct (1974:6) as did Schnectady County Community College. (1972:2) Moral turpitude was the term used by the Coordinating Board of the Texas College and University System (Holderfield:1973:7-8) and immoral conduct was the expression used in the Board of Trustees' personnel policy at San Antonia Junior College in Los Angeles. (Wolf:1971:110)

Webster's New World Dictionary of the American Language (1976:702) defined the adjective immoral as follows:

> Not in conformity with accepted principles of right and wrong behavior; contrary to the moral code of the community; wicked; sometimes, specif., not in conformity with the accepted standards of proper sexual behavior; unchaste; lewd.

Immorality was defined as the state or quality of being immoral. Holderfield and Brown identified immorality as a term difficult to interpret as a legal cause for dismissal (1973:18), Stier believed that moral terpitude could become a matter of local definition (1977:16) and Delon stated that:

> Standards of morality differ from community to community and change from year to year. For this reason, caution must be used in attempting to specify what conduct currently represents immorality, especially immorality of sufficient magnitude to justify the legal dismissal of a teacher. (1977:18)

Definitions for immorality varied widely in the literature reviewed, Although Leichner and Blackstone believed that the "courts have adopted a liberal view involving the discussion of immorality and have based decisions upon whether or not activities as a private citizen adversely influenced teaching performance" (1977:60), Wolf reported that the courts have been reluctant to overrule junior college governing boards with respect to the suspension, dismissal or reemployment of teachers who had been charged with immoral conduct. (1971:54)

Some specific terms and phrases which appeared in the literature as definitions for immorality and their sources were:

Public Colleges:

1. conviction of any felonious crime
2. drunkenness
3. willful failure to pay debts

4. use of addictive drugs and hallucinogens other than under a doctor's care or prescription
5. excessive use of alcohol
6. unlawful act of violence
7. unlawful act resulting in destruction of district property
8. setting a bad example.

Private Institutions:

1. moral and ethical laxity as measured by the Christian standards of the college
2. use of alcoholic beverages with students
3. dishonesty
4. disloyalty.

The concept of "in school" conduct and "out of school" conduct as being two definite standards was raised by Delon (1977:2) and Stroup was concerned with "publically indefensible immorality "as a reason for termination." (1966:18) Since this study was concerned with standards in Southern Baptist colleges and universities, some literature of that denomination was reviewed for opinions concerning the relationship of a faculty member's moral behavior to his capacity as a good instructor or his continued employment by the institution. In A Manual For College Trustees the Executive Secretary of the Southern Baptist Education Commission wrote:

> The teacher or administrative officer also has a responsibility to the institution even outside the classroom, for there is a sense in which, whether he mentions the institution or not, he is always associated with it. Therefore, at all times, because of his position in a Christian college he has unusual obligations and responsibilities. (Fisher:1968:37-38)

The theme of exceptional behavior was emphasized in the Baptist

Education Study Task, a summary of discussions held at twenty-four regional seminars and two national study conferences. The Findings Committee reported the thinking of those who participated in the study by the following statements:

> Only teachers should be employed who can work within the framework of purpose established by the college in keeping with its denominational obligations. . . .All faculty members should preferably, be committed Christians, active church members, and Baptists. (Education Commission:1967:23, 54)

The word incompetency was used as a cause for dismissal in a majority of the faculty publications reviewed. The terms academic inefficiency, indifference, neglect of duty, gross negligence, and inadequate performance of duties were sometimes used to convey the same meaning. Again using the New World Dictionary of the American Language (Webster, 1976:711), the adjective incompetent is defined as follows: "Without adequate ability, knowledge, fitness, etc.; failing to meet requirements; incapable; unskillful."

The word incompetency was used in Oklahoma school law (French:1976: 38), in the Faculty Handbook of Iowa State University (1973:30) and in the Personnel Policies of the Connecticut Regional Community Colleges. (1975:17)

Kentucky Wesleyan College defined incompetency as conduct "related directly and substantially to the fitness of the faculty member in his professional capacity as a teacher or researcher." (1977:49) Leichner and Blackstone defined incompetency as a lack of some requisite ability. They also felt strongly that incompetency should initially be considered remediable or correctable and that notice should be given to the teacher with sufficient time in which to correct the problem. (1977:59) Many written policies such as those published by the Virginia Community College System spoke of

incompetency as the result of "a mental or physical incapacity which prevents faculty members from adequently performing his duties." (1973:1) According to the rules of the Coordinating Board of the Texas College and University System this physical or mental condition could be either of a temporary or permanent nature. (Holderfield and Brown:1973:7-8)

The literature revealed that definitions of words used for dismissal are found in many types of publications including contracts or faculty letters of appointment, faculty handbook or employment manuals, Department of Education regulations, personnel policies of boards of trustees' policy statements and state board regulations. Often, the statements in local publications were merely reiterations of those which had been promulgated on a higher level. In most publications such as the Handbook for Faculty and Staff of Kentucky Wesleyan College the noteing of words which are considered just cause and the definitions of the same were visibly incidental to the amount of space allotted to the procedure for academic due process. (1977:49-58)

Full understanding of dismissal criteria as it would affect faculty behavior after contracts had been signed was considered to be of maximum importance by Holderfield and Brawn. (1973:2) Giardina (1974:99) recommended further investigation regarding the implementation of explicit, well-defined faculty contracts as a preventative measure against legal action and the American Association of School Administrators proposed that "it is essential as a basis for any good administrative management policy in education that the written personnel policies be as specific and clear as possible." (1973:18) Again the position of Southern Baptists on personnel matters was reviewed. On this point the Education Commission wrote: "Faculty letters of appointment (contracts) should clearly state

position, rank, salary, etc., plus any official statement of expectations or limitations." (1967:42)

PROCEDURES

The design of this study was descriptive in nature. Each of the fifty-three colleges and universities which were sponsored to some degree by Southern Baptists was surveyed by letter after information concerning their relationship with the denomination was secured from the Southern Baptist Education Commission. The names and locations and the type of colleges and universities surveyed is included as Appendix A. Names of the chief academic officer for each institution to whom the letter of inquiry was sent were secured from the 1976-77 Education Directory published by the United States Department of Health, Education and Welfare.

Deans who did not reply to the first letter which is included as Appendix B were subsequently given a second opportunity to respond as indicated in Appendix C. The replies to these requests for information were used to answer the following research questions:

1. How many institutions surveyed used the word immorality (or a like term) in their faculty handbooks and/or employment manuals?
   a. What were the like terms used?
   b. What were the actual words used?
2. How many institutions used the word incompetency (or a like term) in their publications?
   a. What were the like terms used?
   b. What were the actual words used?
3. How many institutions have included a definition of immorality (or like term) in their publications?
4. What were the definitions most often used?
5. How many institutions included a definition of incompetency in

their publications?

6. What were the definitions most often used?

A number was subsequently assigned to each college in an effort to preserve the anonymity of each respondent. Data was reported in narrative form. Since many respondents had requested information concerning the results of the survey, a brief report which is included as Appendix D concerning the major findings was prepared for distribution. Appendix E is a letter of thanks to each administrator who had replied to the survey.

Basic Assumptions

It was assumed that most of the colleges surveyed would use the terms immorality and/or incompetency in their faculty contracts, faculty handbooks or employment manuals.

It was further assumed that due to the generally conservative theological and social stance of the Southern Baptist denomination the terms would have been defined at least generally in the faculty publications of each of the institutions surveyed.

Additionally, it was expected that definitions, when used, would be more concise than those used in secular institutions and other church-related institutions as revealed by a review of the literature.

Limitations

This study did not include the five theological seminaries which were also sponsored by the national office of the Southern Baptist Convention in contrast to the support given by individual state denominational bodies to the institutions which were surveyed.

The study did not provide survey questions which made provisions for the use of any explanation of reasons why the words were not used and/or

defined by a particular institution.

No request was made for information concerning the actual use in any of the institutions surveyed of the words immorality and incompetency as a basis for reprimand or dismissal.

RESULTS

Data were secured from forty-three (81 percent) of the fifty-three Southern Baptist colleges and universities surveyed. These institutions were located in sixteen states which supported programs of higher education with funds raised from local churches. Although the survey letter had originally been addressed to the chief academic officer of each institution, eight presidents answered the inquiry. In addition to academic deans, the respondents also included vice presidents for academic affairs and two provosts. No letter was answered by an administrator with less administrative stature than the academic dean.

Of the institutions which replied, thirty (69.8 percent) used either or both of the terms (immorality and incompetency) or similar terms in some publication which was distributed to the faculty. Eight of the institutions (18.3 percent) indicated that they did not use either of the words in any publication. Three of these (6.9 percent) considered that they had accomplished the same purpose by relying on extensive statements of philosophy and purpose or by making a stated assumption such as "all faculty members will exemplify in their lives the basic Christian virtues." The term "fitness" was used by one of the latter. Six of the respondents (28.6 percent) did not respond clearly about the use of the words. They answered that the words were not defined in any publication without saying whether or not they were used in any written communication with the faculty.

The specific term, "immorality," was used in the publication of ten institutions (23 percent). Four other terms were consistently used in the colleges surveyed in lieu of the word immorality: moral and ethical laxity; moral turpitude; breach of morals, and moral delinquency.

More frequent use was made of the word "incompetency" in the faculty

publications of the colleges under study. Eighteen institutions (42 percent) used this word to label a less than desirable standard of academic performance. Other terms most commonly used to express the same concept were inefficiency and indifference.

Not one of the responding colleges had printed definitions of both words. Five (11.6 percent) had made an effort to formalize a definition of immorality and three (6.9 percent) had defined incompetency in one or more faculty publication. Definitions of either word had thus been completed by only slightly more than 18 percent of the colleges which participated in the survey.

Immorality was defined by the five colleges who had attempted that task in a wide variety of ways as indicated by the following phrases from their faculty handbooks and other publications:

1. conduct constituting a felony under state and federal law
2. intemperance in the use of alcoholic beverages or illegal drugs
3. any act which the general body of Southern Baptists and the President of this college would consider immoral
4. no alcoholic beverages
5. any conduct which would reflect negatively upon the goals of this institution and its Baptist constituency
6. any act of sexual immodesty/immorality as these terms would be interpreted among general Baptist church congregations.

In some cases the moral standards for conduct were set forth rather than the immoral.

1. born again believer in Jesus Christ
2. has confessed his faith publically, belongs to and is faithful to the church of his choice.

3. believes the Bible to be God's inspired word

4. seeks to set a clean, upright Christian example in daily life

5. refrains from all use of tobacco and harmful drugs.

Response to the request for definitions of incompetency frequently referred the researcher to faculty handbooks where faculty standards of performance and criteria for evaluation were listed in detail. References were also made to American Association of University Professors statements which dealt with academic freedom and tenure and the procedural standards for faculty dismissal published by the same organization. Only four specific definitions of incompetency had been spelled out in faculty publications:

1. inability or unwillingness to perform academic duties. This includes missing classes and interjecting non-subject matter opinions in the class.

2. serious physical or mental disability when such has been established by competent professional judgment.

3. gross and willful neglect of professional responsibility.

4. the absence of acceptable evidence which would indicate satisfactory performance based on the faculty member's scholarship, teaching and counseling ability and institutional service.

The definitions of both words when used appeared in the faculty handbook or manual, in a policy statement on rank and tenure or on the contract. One institution submitted a copy of a concise "list of faculty standards" to each person who wrote for an application for employment.

At this point in the research, one of the limitations of the study became apparent. Although the survey did not ask why the words were not used if they were not, many respondents answered the survey letter at length, giving specific reasons why the words had been avoided or left undefined. Several of those who answered volunteered personal definitions and explained their opinions why definitions were necessary in such statements as:

> We feel that the terms are somewhat self-explanatory. At some time we realize that incompetence is difficult to prove without specific and objective data.
>
> . . . the words are not defined. This has always been left to the judgment of administrators. In an age of increasing government regulation and employee litigation we have felt pressure to refine our system.
>
> We are in the process of drawing up more refined policies in every area.
>
> It would be very foolish for any administration to attempt to dismiss a faculty member on general grounds of immorality and incompetency. A dismissal would have to be based on specific instances . . . and it is these that would need to be refined, not the general terms.

Conversely, a lack of concern for the absence of definitions or disagreement with the concept of their necessity was expressed in these comments:

> The Board of Trustees addressed themselves to this question some time ago and at that time declined to spell out detailed guidelines.
>
> To be very honest, I haven't given much attention to attempts to define these constructs.
>
> The trouble with definitions is that they can never be complete; something will be omitted.

In summary, data were secured from 81 percent of the colleges and universities surveyed. The basic assumption that most colleges would use the terms immorality and incompetency in their faculty publications was proven true since 69.8 percent reported doing so. It was falsely assumed that most of the institutions would have at least general definitions of both words on record and that these definitions would be more concise than those used in secular or other church-related institutions.

DISCUSSION, IMPLICATIONS AND RECOMMENDATIONS

North Greenville College's practice of simply listing the words incompetency and immorality as causes for dismissal and suspension was comparable with the practice of other Southern Baptist colleges and universities in sixteen states. The same practice was generally followed by the state universities, private colleges and community colleges which were surveyed in the review of the literature.

North Greenville also had included similar words (dishonesty, misconduct in office and willful neglect of duty) in its suspension and dismissal statement although they in no way were an attempt to define the others. Again, this procedure was common to all of the other institutions surveyed.

However, replies to the survey indicated (without solicitation) that faculty members had been dismissed on both charges in a number of Southern Baptist colleges and universities. Some dismissals had been accomplished under due process while many others were accomplished by "gentlemen's agreements" in which the college agreed not to press charges if the faculty member would leave the college voluntarily. Although no attempt was made to establish if that had been the case at North Greenville, it could have been that in the past faculty members were dismissed in the same discreet, but perhaps unfair, manner.

The fair and legal treatment of faculty members was included as one of the six priority problems reported by the Carnegie Commission on Higher Education in a 1973 report:

> So that fully impartial decisions may be made about terminations of tenured faculty members or other adverse action taken against them "for cause" or for the sake of the institution's welfare, it is essential that clear and reasonable rules be in force and that independent tribunals

> including persons from outside the school, college or campus of the individual potentially affected to be available. (1973:57)

Provision had been made in the North Greenville Faculty Handbook for academic due process, (1976:3.4.6) but, as in so many of the other institutions surveyed, no further attempt had been made to protect the rights of the faculty or to insure the image and integrity of the institution by clearly defining the types of behavior which were implied by each word listed as a cause for dismissal.

In light of the suggestion from the President that definitions be developed for the words immorality and incompetency the following recommendations are made:

1. The Professional Development and Standards Committee should meet with the college attorney to determine his opinion of the necessity for developing definitions of words used in faculty publications as grounds for dismissal.
   a. The attorney should be asked for assistance in developing definitions if it is determined that they are needed.
   b. An opinion should be solicited concerning the necessity or advisability of publishing the words and/or definitions in additional places.
2. The data gathered from this survey should be given to the Professional Development and Standards Committee in order to avoid a duplication of effort in gathering the same facts. Included in the information to be forwarded should be the number of institutions which had included the words in their faculty publications, the number of institutions which had defined one or both words and lists of definitions which were being used in other Southern Baptist colleges and universities.

3. The information will be given to the Professional Development and Standards Committee with the recommendation that they consider the following questions:
   a. Whether or not they consider the simple use in the Faculty Handbook of the words immorality and incompetency to be sufficient.
   b. Whether they would desire to have either or both of the words defined in the Faculty Handbook.
   c. The extent to which they would desire to have the words defined, i.e. simple definitions, definitive phrases, or lists of actual behavior considered to be immoral or as constituting incompetent performance.
   d. Whether they think that the words and/or their definitions should be used in faculty contracts or letters of employment.
4. If it is decided that definitions are needed, the Committee could proceed to develop them as previously requested by the President of the college.
5. Definitions could be presented, in turn, for approval or disapproval to the full faculty, the Administrative Council, the President and the Board of Trustees.
6. Definitions, if completed and approved, could be printed in the Faculty Handbook and any other publications which are subsequently deemed appropriate.

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APPENDIX A

NAME, LOCATION AND TYPE OF INSTITUTIONS SURVEYED

Name	Location	Type
1. Anderson College	South Carolina	Junior College
2. Averett College	Virginia	Senior College
3. Baptist College	South Carolina	Senior College
4. Baylor University	Texas	University
5. Belmont College	Tennessee	Senior College
6. Bluefield College	Virginia	Senior College
7. Blue Mountain College	Mississippi	Senior College
8. Brewton-Parker College	Georgia	Junior College
9. California Baptist College	California	Senior College
10. Campbell College	North Carolina	Senior College
11. Campbellsville College	Kentucky	Senior College
12. Carson-Newman College	Tennessee	Senior College
13. Chowan College	North Carolina	Junior College
14. Clarke College	Mississippi	Junior College
15. Cumberland College	Kentucky	Senior College
16. Dallas Baptist College	Texas	Senior College
17. East Texas Baptist College	Texas	Senior College
18. Furman University	South Carolina	University
19. Gardner-Webb College	North Carolina	Senior College
20. Georgetown College	Kentucky	Senior College
21. Grand Canyon College	Arizona	Senior College
22. Hannibal-LaGrange College	Missouri	Junior College
23. Hardin-Simmons University	Texas	University
24. Houston Baptist University	Texas	University

APPENDIX A (continued)

Name	Location	Type
25. Howard Payne University	Texas	University
26. Judson College	Alabama	Senior College
27. Louisiana College	Louisiana	Senior College
28. Mars Hill College	North Carolina	Senior College
29. Mary Hardin-Baylor College	Texas	Senior College
30. Mercer University	Georgia	University
31. Meredith College	North Carolina	Senior College
32. Mississippi College	Mississippi	Senior College
33. Missour Baptist College	Missouri	Senior College
34. Mobile College	Alabama	Senior College
35. North Greenville College	South Carolina	Junior College
36. Oklahoma Baptist University	Oklahoma	University
37. Quachita Baptist University	Arkansas	University
38. Palm Beach Atlantic College	Florida	Senior College
39. Richmond, University of	Virginia	University
40. Samford University	Alabama	University
41. Shorter College	Georgia	Senior College
42. Southern Baptist College	Arkansas	Junior College
43. Southwest Baptist College	Missouri	Senior College
44. Stetson University	Florida	University
45. Tift College	Georgia	Senior College
46. Truett-McConnell College	Georgia	Junior College
47. Union University	Tennessee	University
48. Virginia Intermont College	Virginia	Senior College

APPENDIX A (continued)

Name	Location	Type
49. Wake Forest University	North Carolina	University
50. Wayland Baptist College	Texas	Senior College
51. William Carey College	Mississippi	Senior College
52. William Jewell College	Missouri	Senior College
53. Wingate College	North Carolina	Senior College

APPENDIX B

NORTH GREENVILLE COLLEGE • TIGERVILLE, SOUTH CAROLINA 29688 • (803) 895-1410

Director of Counseling and Placement

(date)

Name
Address
City/State/Zip

Dear Name:

I am a doctoral candidate at Nova University in Ft. Lauderdale, Florida, majoring in college administration.

As part of the research for a module in college governance, I am attempting to identify the criteria which are used in Southern Baptist colleges throughout the United States in determining the incompetency and/or immorality of a faculty member when that term is used as a basis for reprimand, suspension or dismissal.

I will not be identifying colleges by name since that has no relevance to this study. My purpose is to compile from many criteria for incompetency and immorality which are already in use, some ideas to be used in writing a fair and unambiguous statement on the subjects. This statement could conceivably be adopted by my own institution and a number of others which need to form a policy for possible use in the future.

Would you please be so kind as to define the words incompetence and immorality as you use them in decisions concerning faculty? I would also be interested in the types of publications, such as faculty handbook or employment manual, in which this definition appears.

Enclosed you will find an addressed, stamped envelope to facilitate your answer. I will be happy to share the results of the study with anyone who participates.

I thank you in advance for your assistance.

Sincerely,

Jane H. Silver (Mrs.)

JHS:bfn

Institution of the S.C.B.C.

APPENDIX C

NORTH GREENVILLE COLLEGE • TIGERVILLE, SOUTH CAROLINA 29688 • (803) 895-1410

Director of Counseling and Placement

(date)

Name
Address
City/State/Zip

Dear Name:

Several weeks ago I wrote to you requesting help with a project which I am conducting as a doctoral candidate at Nova University. Knowing how pressed administrators are to answer the many requests for information which arrive at their desks, I am taking the liberty of sending this second request.

My research involves an attempt to identify the criteria which are used in Southern Baptist colleges and universities in determining the incompetency and/or immorality of a faculty member when the terms are used as a basis for reprimand, suspension or dismissal.

To date, thirty-six of the fifty-three colleges which were surveyed have responded and I would like to include your institution in the final report which will not identify any college by name. I would be pleased to share the results with you if you are interested.

I would be deeply appreciative of your assistance in helping North Greenville College focus on a workable definition of the two aforementioned terms.

Sincerely,

Jane H. Silver
(Mrs. George Silver)

JHS:bfn

APPENDIX D

AN ANALYSIS OF THE USE OF THE WORDS INCOMPETENCY AND IMMORALITY IN SOUTHERN BAPTIST COLLEGES AND UNIVERSITIES

Major findings of research conducted for a practicum in governance prepared in partial fulfillment of the requirements for the Doctor of Education degree at Nova University.

Data were secured from forty-three Southern Baptist colleges and universities (81 percent) in sixteen states.

Thirty (69.8 percent) used either or both of the words or similar words in some publication which was distributed to the faculty. Eight of the institutions (18.3 percent) indicated that they did not use either of the words in any publication. Three (6.9 percent) felt that they had accomplished the same result by relying on statements of philosophy and purpose or by making a stated assumption such as 'all faculty members will exemplify in their lives the basic Christian virtues. Six of the respondents (28.6 percent) did not respond clearly about the use of the words at their institution.

The specific word, "immorality," was used in the publications of ten institutions (23 percent). Four other terms were consistently used in lieu of the word immorality: moral and ethical laxity; moral turpitude; breach of morals, and moral delinquency.

More frequent use was made of the word "incompetency" in the faculty publications. Eighteen institutions (42 percent) used this word to label a less than desirable standard of academic performance. Other terms most commonly used to express the same concept were inefficiency and indifference.

Not one of the responding colleges had printed definitions of both words. Five (11.6 percent) had made an effort to formalize a definition of immorality and three (6.9 percent) had defined incompetency in one or more faculty publications.

APPENDIX D (continued)

Immorality was defined by the five colleges who had attempted that task in a wide variety of ways as indicated by the following phrases from their faculty handbooks and other publications:

conduct constituting a felony under state and federal law.

intemperence in the use of alcoholic beverages or illegal drugs.

any act which the general body of Southern Baptists and the President of this college would consider immoral.

no alcoholic beverages.

any conduct which would reflect negatively upon the goals of this institution and its Baptist constituency.

any act of sexual immodesty/immorality as these terms would be interpreted among general Baptist church congregations.

In some cases the moral standards for conduct were set forth rather than the immoral:

born again believer in Jesus Christ.

has confessed his faith publically, belongs to and is faithful to the church of his choice.

believes the Bible to be God's inspired word.

seeks to set a clean, upright Christian example in daily life.

refrains from all use of tobacco and harmful drugs.

Response to the request for definitions of incompetency frequently referred the researcher to faculty handbooks where faculty standards of performance and criteria for evaluation were listed in detail. References were also made to American Association of University Professors statements which dealt with academic freedom and tenure and the procedural standards for faculty dismissal published by the same organization. Only four specific definitions of incompetency had been spelled out in faculty publications:

inability or unwillingness to perform academic duties. This includes missing classes and interjecting non-subject matter opinions in the class.

APPENDIX D (continued)

serious physical or mental disability when such has been established by competent professional judgment.

gross and willful neglect of professional responsibility

the absence of acceptable evidence which would indicate satisfactory performance based on the faculty member's scholarship, teaching and counseling ability and institutional service.

The definitions of both words when used appeared in the faculty handbook or manual, in a policy statement on rank and tenure or on the contract. One institution submitted a copy of a concise "list of faculty standards" to each person who wrote for an application for employment.

Several of those who answered volunteered personal definitions and explained their opinions why definitions were necessary in such statements as:

> We feel that the terms are somewhat self-explanatory. At the same time we realize that incompetence is difficult to prove without specific and objective data.
>
> . . . the words are not defined. This has always been left to the judgment of administrators. In an age of increasing government regulation and employee litigation we have felt pressure to refine our system.
>
> We are in the process of drawing up more refined policies in every area.
>
> It would be very foolish for any administration to attempt to dismiss a faculty member on general grounds of immorality and incompetency. A dismissal would have to be based on specific instances . . . and it is these that would need to be refined, not the general terms.

Conversely, a lack of concern for the absence of definitions or disagreement with the concept of their necessity was expressed in these comments:

> The Board of Trustees addressed themselves to this question some time ago and at that time declined to spell out detailed guidelines.
>
> To be very honest, I haven't given much attention to attempts to define these constructs.

APPENDIX D (continued)

The trouble with definitions is that they can never be complete; something will be omitted.

The study's assumption that most Southern Baptist colleges and universities would use the terms immorality and incompetency (or like words) in their faculty publications was proven true. However, it had been falsely assumed that most of the institutions would have at least general definitions of both words on record and that these definitions would be more concise than those used in secular or other church-related institutions.

APPENDIX E

NORTH GREENVILLE COLLEGE • TIGERVILLE, SOUTH CAROLINA 29688 • (803) 895-1410

Director of Counseling and Placement

(date)

Name
Address
City/State/Zip

Dear Name:

Enclosed you will find a copy of the Major Findings of the research done for a practicum on governance which I conducted at Nova University in partial fulfillment of the requirements for the Doctor of Education degree. I am happy that your institution participated in providing data for the research and was very pleased that you were interested in the results.

This project was an interesting learning experience for me. The review of the literature exposed me to the growing amount of litigation on personnel matters, the attitudes of the courts on such, and the criteria for suspension and dismissal used by a wide variety of public and private colleges and universities. I was also able to examine the definitions for incompetency and immorality which are currently in use in many faculty publications.

My findings are now to be presented to the Professional Development Committee at our institution. They are about to begin the process of developing definitions for the two words to be used in our Faculty Handbook.

Thank you very much for taking the time to assist me. If you have any further questions about the project, I would be most happy to answer them.

Sincerely,

Jane H. Silver
(Mrs. George Silver)

JHS:bfn

Enclosure

Institution of the S C B C